

National Aeronautics and Space Administration
Kennedy Space Center
Kennedy Space Center, FL 32899



September 29, 2009

Reply to Attn of: CC-A

TO: Distribution

FROM: CC/Chief Counsel

SUBJECT: The National Space Club Florida Committee Space Ball, October 17, 2009

The National Space Club Florida Committee (NSCFC), a 501(c)(3) non-profit organization, will host the Annual Space Ball at the Doubletree Oceanfront Hotel in Cocoa Beach on Saturday, October 17, 2009. The NSCFC provides information on space activities through monthly luncheons, promoting space leadership, stimulating advancement of space applications, sponsoring educational activities, and providing recognition for contributions to advancements in aerospace science, operations, research, and education.

The Space Ball will be a widely attended gathering of approximately 500 guests including corporate and industry executives, aerospace contractors, academia, local community and military leaders, and representatives of state and Federal government. Tickets to the dinner, valued at \$60 for an attendee and one guest, are being offered to some NASA KSC personnel at no cost. Although member corporations provide open seating at their tables to accommodate guests invited by NSCFC, the NSCFC is solely responsible for selecting, inviting, and seating NASA guests.

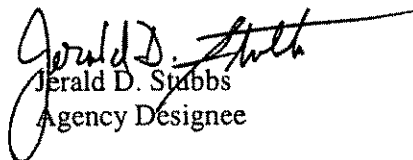
Attendance at the Space Ball will allow NASA representatives to establish an Agency presence at an event celebrating work done by the NSCFC to stimulate young people in the aerospace science and research careers. Attendance will also allow NASA personnel an opportunity to discuss matters of interest with a diverse group of other guests. Through attendance, employees will be able to disseminate information on NASA's ongoing activities and to demonstrate support for the contributions of the American space industry.

Accordingly, NASA employees whose duties do not substantially affect NSCFC or a majority of all of its members including NASA employees in non-career positions who are required to sign the ethics pledge under the Executive Order 13490, may accept an invitation for free attendance to the event for themselves and their invited spouses or guests.

There is a fundraising aspect to the event, a silent auction. As a reminder, Federal employees should avoid participating in any of the fundraising activities, including any promotional, production, or presentation activities. Employees should also avoid making any requests for support for any nonprofit organization.

Note that some NASA contractors may be providing sponsorship for this event and purchasing tables at which NSCFC may seat other attendees. To avoid the appearance of a conflict of interest, NASA employees who attend the dinner should ensure that they do not sit at a table sponsored by a contractor with which they are closely and currently involved or expect to be involved within the next few months, (e.g., by way of source selection or contract administration duties). NASA employees whose duties may substantially affect NSCFC such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.205(g)(3)(i) regarding participation in this event from their local ethics counselor.

I find that the Space Ball meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). Consequently, I conclude that NASA's interest in its employees and a guest attending this event outweighs any concern that such free attendance may, or may appear to, improperly influence any NASA personnel in the performance of their official duties.


Gerald D. Stubbs
Agency Designee

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